
By: **Chairman, Health and Government Operations Committee (By Request
- Departmental - Public Safety and Correctional Services)**

Introduced and read first time: February 14, 2003

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Emergency Number Systems Board - 9-1-1 Center Enhancements**

3 FOR the purpose of altering the membership of the Emergency Number Systems
4 Board to include a representative of the National Emergency Numbers
5 Association; increasing the fee for the Maryland 9-1-1 Trust Fund; authorizing
6 county governments to increase the fee for certain 9-1-1 center operational
7 expenses; providing the Board with audit authority of certain wireless telephone
8 service providers; providing that certain audits may be reported confidentially;
9 requiring the Board to develop a strategy for enhanced wireless 9-1-1
10 deployment; authorizing the Board to undertake certain implementation and
11 cost reviews; authorizing the Board to grant certain exemptions under certain
12 circumstances; establishing certain time frames for certain counties; defining
13 certain terms; renumbering certain subsections; and generally relating to 9-1-1
14 emergency telephone number systems.

15 BY repealing and reenacting, without amendments,
16 Article - Public Safety
17 Section 1-302, 1-303, and 1-308
18 Annotated Code of Maryland
19 (As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of
20 2003)

21 BY repealing and reenacting, with amendments,
22 Article - Public Safety
23 Section 1-301, 1-304, 1-305, 1-306, 1-307, 1-309, 1-310, 1-311, and 1-312
24 Annotated Code of Maryland
25 (As enacted by Chapter _____ (S.B. 1) of the Acts of the General Assembly of
26 2003)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
28 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Public Safety**

2 1-301.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) "Additional charge" means the charge imposed by a county in accordance
5 with § 1-311 of this subtitle.

6 (c) "Board" means the Emergency Number Systems Board.

7 (d) "County plan" means a plan for a 9-1-1 system or enhanced 9-1-1 system,
8 or an amendment to the plan, developed by a county or several counties together
9 under this subtitle.

10 (e) "Enhanced 9-1-1 system" means a 9-1-1 system that provides:

11 (1) automatic number identification;

12 (2) automatic location identification; and

13 (3) any other technological advancements that the Board requires.

14 (f) "9-1-1-accessible service" means telephone service or another
15 communications service that connects an individual dialing the digits 9-1-1 to an
16 established public safety answering point.17 (g) "9-1-1 fee" means the fee imposed in accordance with § 1-310 of this
18 subtitle.19 (h) (1) "9-1-1 service carrier" means a provider of wireless telephone service
20 or other 9-1-1-accessible service.

21 (2) "9-1-1 service carrier" does not include a telephone company.

22 (i) (1) "9-1-1 system" means telephone service that:

23 (i) meets the planning guidelines established under this subtitle;
24 and25 (ii) automatically connects an individual dialing the digits 9-1-1 to
26 an established public safety answering point.

27 (2) "9-1-1 system" includes:

28 (i) equipment for connecting and outswitching 9-1-1 calls within a
29 telephone central office;30 (ii) trunking facilities from a telephone central office to a public
31 safety answering point; and

1 (iii) equipment to connect 9-1-1 calls to the appropriate public
2 safety agency.

3 (j) "9-1-1 Trust Fund" means the Fund established under § 1-308 of this
4 subtitle.

5 (K) "PHASE I WIRELESS ENHANCED 9-1-1" MEANS A 9-1-1 SYSTEM THAT
6 DELIVERS AUTOMATICALLY, TO THE PUBLIC SAFETY ANSWERING POINT
7 WORKSTATION FOR WIRELESS CALLS, AUTOMATIC NUMBERING INFORMATION.

8 (L) "PHASE II WIRELESS ENHANCED 9-1-1" MEANS A 9-1-1 SYSTEM THAT
9 DELIVERS AUTOMATICALLY, TO THE PUBLIC SAFETY ANSWERING POINT
10 WORKSTATION FOR WIRELESS CALLS, AUTOMATIC NUMBER INFORMATION AND
11 AUTOMATIC LOCATION INFORMATION.

12 [(k)] (M) "Public safety agency" means:

13 (1) a functional division of a public agency that provides fire fighting,
14 police, medical, or other emergency services; or

15 (2) a private entity that provides fire fighting, police, medical, or other
16 emergency services on a voluntary basis.

17 [(l)] (N) "Public safety answering point" means a communications facility
18 that:

19 (1) is operated on a 24-hour basis;

20 (2) first receives 9-1-1 calls in a 9-1-1 service area; and

21 (3) as appropriate, dispatches public safety services directly, or transfers
22 9-1-1 calls to appropriate public safety agencies.

23 [(m)] (O) "Secretary" means the Secretary of Public Safety and Correctional
24 Services.

25 [(n)] (P) (1) "Wireless telephone service" means public telephone service
26 that:

27 (i) is provided for two way voice or data communication;

28 (ii) is transmitted independently of switched local exchange access
29 telephone service; and

30 (iii) may be transmitted partly via cable or wire as part of a larger
31 telephone or cable system.

32 (2) "Wireless telephone service" includes:

33 (i) [cellular telephone service (cellular)] COMMERCIAL MOBILE
34 RADIO SERVICE (CMRS);

1 (ii) personal communication service (PCS); and

2 (iii) specialized mobile radio (SMR).

3 (3) "Wireless telephone service" does not include service that cannot
4 connect an individual dialing the digits 9-1-1 to an established public safety
5 answering point.

6 1-302.

7 (a) The General Assembly:

8 (1) recognizes the paramount importance of the safety and well-being of
9 the public;

10 (2) recognizes that timely and appropriate assistance must be provided
11 when the lives or property of the public is in imminent danger;

12 (3) recognizes that emergency assistance usually is summoned by
13 telephone, and that a multiplicity of emergency telephone numbers existed
14 throughout the State and within each county;

15 (4) was concerned that avoidable delays in reaching appropriate
16 emergency assistance were occurring to the jeopardy of life and property; and

17 (5) acknowledges that the three digit number, 9-1-1, is a nationally
18 recognized and applied telephone number that may be used to summon emergency
19 assistance and to eliminate delays caused by lack of familiarity with emergency
20 numbers and by confusion in circumstances of crisis.

21 (b) The purposes of this subtitle are to:

22 (1) establish the three digit number, 9-1-1, as the primary emergency
23 telephone number for the State; and

24 (2) provide for the orderly installation, maintenance, and operation of
25 9-1-1 systems in the State.

26 1-303.

27 (a) (1) This subtitle does not require a public service company to provide any
28 equipment or service other than in accordance with tariffs approved by the Public
29 Service Commission.

30 (2) The provision of services, the rates, and the extent of liability of a
31 public service company are governed by the tariffs approved by the Public Service
32 Commission.

33 (b) (1) This subtitle does not require a 9-1-1 service carrier to provide any
34 equipment or service other than the equivalent of the equipment and service required
35 of a telephone company under subsection (a) of this section.

1 (2) This subtitle does not extend any liability to a 9-1-1 service carrier.

2 1-304.

3 (a) Each county shall have in operation an enhanced 9-1-1 system.

4 (b) If implementation is preceded by cooperative planning, the enhanced
5 9-1-1 system required under subsection (a) of this section may operate as part of a
6 multicounty system.

7 (c) (1) Services available through a 9-1-1 system shall include [police]
8 LAW ENFORCEMENT AGENCIES, fire AND RESCUE [fighting], and emergency
9 MEDICAL [ambulance] services.

10 (2) [Other emergency and civil defense services] EMERGENCY
11 MANAGEMENT, HOMELAND SECURITY, AND OTHER EMERGENCY SERVICES may be
12 incorporated into the 9-1-1 system at the discretion of the county or counties served
13 by the 9-1-1 system.

14 (d) (1) The digits 9-1-1 are the primary emergency telephone number in the
15 9-1-1 system.

16 (2) A public safety agency whose services are available through the
17 9-1-1 system:

18 (i) may maintain a separate secondary backup telephone number
19 for emergency calls; and

20 (ii) shall maintain a separate telephone number for nonemergency
21 calls.

22 (e) Educational information that relates to emergency services made available
23 by the State or a county:

24 (1) shall designate the number 9-1-1 as the primary emergency
25 telephone number; and

26 (2) may include a separate secondary backup telephone number for
27 emergency calls.

28 (f) (1) Each public safety answering point shall notify the public safety
29 agencies in a county 9-1-1 system of calls for assistance in the county.

30 (2) Written guidelines shall be developed to govern the referral of calls
31 for assistance to the appropriate public safety agency.

32 (3) State, county, and local public safety agencies with concurrent
33 jurisdiction shall have written agreements to ensure a clear understanding of which
34 specific calls for assistance will be referred to which public safety agency.

1 (g) Counties, other units of local government, public safety agencies, and
2 public safety answering points may enter into cooperative agreements for the
3 allocation of maintenance, operational, and capital costs attributable to the 9-1-1
4 system.

5 1-305.

6 (a) There is an Emergency Number Systems Board in the Department of
7 Public Safety and Correctional Services.

8 (b) (1) The Board consists of 13 members.

9 (2) Of the 13 members:

10 (i) one member shall represent a telephone company operating in
11 the State;

12 (ii) one member shall represent the wireless telephone industry in
13 the State;

14 (iii) one member shall represent the Maryland Institute for
15 Emergency Medical Services Systems;

16 (iv) one member shall represent the Department of State Police;

17 (v) one member shall represent the Public Service Commission;

18 (vi) one member shall represent the Association of Public-Safety
19 Communications Officials International, Inc.;

20 (vii) two members shall represent county fire services in the State,
21 with one member representing career fire services and one member representing
22 volunteer fire services;

23 (viii) one member shall represent police services in the State;

24 (ix) one member shall represent emergency management services in
25 the State; [and]

26 (x) ONE MEMBER SHALL REPRESENT THE MARYLAND CHAPTER OF
27 THE NATIONAL EMERGENCY NUMBERS ASSOCIATION; AND

28 (XI) [three] TWO members shall represent the public.

29 (3) The Governor shall appoint the members with the advice and consent
30 of the Senate.

31 (c) (1) The term of a member is 4 years and begins on July 1.

32 (2) The terms of the members are staggered as required by the terms
33 provided for members of the Board on October 1, 2003.

1 (3) At the end of a term, a member continues to serve until a successor is
2 appointed and qualifies.

3 (4) If a vacancy occurs after a term has begun, the Governor shall
4 appoint a successor to represent the organization or group in which the vacancy
5 occurs.

6 (5) A member who is appointed after a term has begun serves only for
7 the rest of the term and until a successor is appointed and qualifies.

8 (d) The Governor shall appoint a chairperson from among the Board
9 members.

10 (e) The Board shall meet as necessary, but at least once each quarter.

11 (f) A member of the Board:

12 (1) may not receive compensation as a member of the Board; but

13 (2) is entitled to reimbursement for expenses under the Standard State
14 Travel Regulations, as provided in the State budget.

15 (g) The Secretary shall provide staff to the Board, including a coordinator who
16 is responsible for the daily operation of the office of the Board.

17 1-306.

18 (a) The Board shall coordinate the enhancement of county 9-1-1 systems.

19 (b) The Board's responsibilities include:

20 (1) [establishing planning guidelines for enhanced 9-1-1 system plans
21 in accordance with this subtitle] ON OR BEFORE JULY 1, 2004, PUBLISHING AN
22 IMPLEMENTATION PLAN FOR PHASE II WIRELESS ENHANCED 9-1-1 DEPLOYMENT;

23 (2) establishing procedures to review and approve or disapprove county
24 plans and to evaluate requests for variations from the planning guidelines
25 established by the Board;

26 (3) establishing procedures for the request for reimbursement of the
27 costs of enhancing a 9-1-1 system by a county or counties in which a 9-1-1 system is
28 in operation, and procedures to review and approve or disapprove the request;

29 (4) transmitting the [planning guidelines] IMPLEMENTATION PLAN and
30 procedures established under this section, and any amendments to them, to the
31 governing body of each county;

32 (5) submitting to the Secretary each year a schedule for implementing
33 the enhancement of county or multicounty 9-1-1 systems, and an estimate of funding
34 requirements based on the approved county plans;

1 (6) reviewing and approving or disapproving requests for reimbursement
2 of the costs of enhancing 9-1-1 systems, and submitting to the Secretary each year a
3 schedule for reimbursement and an estimate of funding requirements;

4 (7) reviewing the enhancement of 9-1-1 systems;

5 (8) providing for an audit of county expenditures for the operation and
6 maintenance of 9-1-1 systems;

7 (9) ensuring inspections of public safety answering points;

8 (10) reviewing and approving or disapproving requests from counties with
9 operational enhanced 9-1-1 systems to be exempted from the expenditure limitations
10 under § 1-312 of this subtitle; and

11 (11) authorizing expenditures from the 9-1-1 Trust Fund that:

12 (i) are for enhancements of 9-1-1 systems that:

13 1. are required by the Board;

14 2. will be provided to a county by a third party contractor;

15 and

16 3. will incur costs that the Board has approved before the
17 formation of a contract between the county and the contractor; and

18 (ii) are approved by the Board for payment:

19 1. from money collected under § 1-310 of this subtitle; and

20 2. directly to a third party contractor on behalf of a county.

21 (c) [The guidelines established by the Board under subsection (b)(1) of this
22 section:

23 (1) shall be based on available technology and equipment; and

24 (2) may be based on any other factor that the Board determines is
25 appropriate, including population and area served by 9-1-1 systems.] THE BOARD
26 SHALL SEEK INPUT FROM LOCAL JURISDICTIONS IN CREATING A PLAN UNDER
27 SUBSECTION (B)(1) OF THIS SECTION.

28 (D) ON OR BEFORE DECEMBER 31, 2006, THE BOARD SHALL CONDUCT A
29 REVIEW OF WIRELESS ENHANCED DEPLOYMENT AND THE ATTENDANT COSTS IN
30 ORDER TO REEVALUATE THE 9-1-1 FEE STRUCTURE.

1 1-307.

2 (a) The Board shall submit an annual report to the Governor, the Secretary,
3 and, subject to § 2-1246 of the State Government Article, the Legislative Policy
4 Committee.

5 (b) The report shall provide the following information for each county:

6 (1) the type of 9-1-1 system currently operating in the county;

7 (2) the total 9-1-1 fee and additional charge charged;

8 (3) the funding formula in effect;

9 (4) any statutory or regulatory violation by the county and the response
10 of the Board;

11 (5) any efforts to [establish an enhanced 9-1-1 system] IMPROVE
12 DELIVERY OF 9-1-1 SYSTEM SERVICES in the county; and

13 (6) any suggested changes to this subtitle.

14 1-308.

15 (a) There is a 9-1-1 Trust Fund.

16 (b) The purposes of the 9-1-1 Trust Fund are to:

17 (1) reimburse counties for the cost of enhancing a 9-1-1 system;

18 (2) pay contractors in accordance with § 1-306(b)(11) of this subtitle; and

19 (3) fund the coordinator position under § 1-305 of this subtitle.

20 (c) The 9-1-1 Trust Fund consists of:

21 (1) money from the 9-1-1 fee collected and remitted to the Comptroller
22 under § 1-310 of this subtitle;

23 (2) money from the additional charge collected and remitted to the
24 Comptroller under § 1-311 of this subtitle; and

25 (3) investment earnings of the 9-1-1 Trust Fund.

26 (d) Money in the 9-1-1 Trust Fund shall be held in the State Treasury.

27 (e) The Secretary shall administer the 9-1-1 Trust Fund, subject to the
28 guidelines for financial management and budgeting established by the Department of
29 Budget and Management.

1 (f) The Secretary shall direct the Comptroller to establish separate accounts
2 in the 9-1-1 Trust Fund for the payment of administrative expenses and for each
3 county.

4 (g) (1) Any investment earnings shall be credited to the 9-1-1 Trust Fund.

5 (2) The Comptroller shall allocate the investment income among the
6 accounts in the 9-1-1 Trust Fund, prorated on the basis of the total fees collected in
7 each county.

8 1-309.

9 (a) On recommendation of the Board, each year the Secretary shall request an
10 appropriation from the 9-1-1 Trust Fund in an amount sufficient to:

11 (1) carry out the purposes of this subtitle;

12 (2) pay the administrative costs chargeable to the 9-1-1 Trust Fund; and

13 (3) reimburse counties for the cost of enhancing a 9-1-1 system.

14 (b) (1) Subject to the limitations under subsection (e) of this section, the
15 Comptroller shall disburse the money in the 9-1-1 Trust Fund as provided in this
16 subsection.

17 (2) Each July 1, the Comptroller shall allocate sufficient money from the
18 9-1-1 fee to pay the costs of administering the 9-1-1 Trust Fund.

19 (3) As directed by the Secretary and in accordance with the State budget,
20 the Comptroller, from the appropriate account, shall:

21 (i) reimburse counties for the cost of enhancing a 9-1-1 system;
22 and

23 (ii) pay contractors in accordance with § 1-306(b)(11) of this
24 subtitle.

25 (4) (i) The Comptroller shall pay to each county from its account the
26 money requested by the county to pay the maintenance and operation costs of the
27 county's 9-1-1 system in accordance with the State budget.

28 (ii) The Comptroller shall pay the money for maintenance and
29 operation costs on September 30, December 31, March 31, and June 30 of each year.

30 (c) (1) Money accruing to the 9-1-1 Trust Fund may be used as provided in
31 this subsection.

32 (2) Money collected from the 9-1-1 fee may be used to:

33 (i) reimburse counties for the cost of enhancing a 9-1-1 system;
34 and

1 (ii) pay contractors in accordance with § 1-306(b)(11) of this
2 subtitle.

3 (3) Money collected from the additional charge may be used by the
4 counties for the maintenance and operation costs of the 9-1-1 system.

5 (d) (1) Reimbursement may be made only to the extent that county money
6 was used to enhance the 9-1-1 system.

7 (2) Reimbursement for the enhancement of 9-1-1 systems shall include
8 the installation of equipment for automatic number identification, automatic location
9 identification, and other technological advancements that the Board requires.

10 (3) Reimbursement from money collected from the 9-1-1 fee may be
11 used only for 9-1-1 system enhancements approved by the Board.

12 (e) (1) The Board may direct the Comptroller to withhold from a county
13 money for 9-1-1 system expenditures if the county violates this subtitle or a
14 regulation of the Board.

15 (2) (i) The Board shall state publicly in writing its reason for
16 withholding money from a county and shall record its reason in the minutes of the
17 Board.

18 (ii) On reaching its decision to withhold money, the Board shall
19 notify the county.

20 (iii) The county has 30 days after the date of notification to respond
21 in writing to the Board.

22 (3) (i) On notification by the Board, the Comptroller shall hold money
23 for the county in the county's account in the 9-1-1 Trust Fund.

24 (ii) Money held by the Comptroller under subparagraph (i) of this
25 paragraph does not accrue interest for the county.

26 (iii) Interest income earned on money held by the Comptroller under
27 subparagraph (i) of this paragraph accrues to the 9-1-1 Trust Fund.

28 (4) County money withheld by the Comptroller shall be withheld until
29 the Board directs the Comptroller to release the money.

30 (f) (1) (I) The Legislative Auditor shall conduct fiscal/compliance audits
31 of the 9-1-1 Trust Fund and of the appropriations and disbursements made for
32 purposes of this subtitle.

33 [(2)] (II) The cost of the fiscal portion of the audits shall be paid from the
34 9-1-1 Trust Fund as an administrative cost.

1 (2) (I) ANNUALLY, THE BOARD MAY REQUIRE AN INDEPENDENT
2 AUDIT OF THE REPORTED COLLECTIONS AND REMISSIONS MADE BY CARRIERS THAT
3 ARE REQUIRED TO COLLECT THE FEES DESCRIBED IN THIS SUBTITLE.

4 (II) THE AUDIT MAY BE REPORTED CONFIDENTIALLY TO THE
5 BOARD AND SHALL ATTEST TO THE ACCURACY OF REMISSIONS MADE TO THE
6 COMPTROLLER.

7 (III) IF REPORTED CONFIDENTIALLY, THE BOARD SHALL KEEP THE
8 INFORMATION CONFIDENTIAL.

9 1-310.

10 (a) Each subscriber to switched local exchange access service, wireless
11 telephone service, or other 9-1-1-accessible service shall pay a 9-1-1 fee.

12 (b) The 9-1-1 fee is [10] 15 cents per month, payable when the bill for
13 telephone service is due.

14 (c) (1) The Public Service Commission shall direct each telephone company
15 to add the 9-1-1 fee to all current bills rendered for switched local exchange access
16 service in the State.

17 (2) Each telephone company:

18 (i) shall act as a collection agent for the 9-1-1 Trust Fund with
19 respect to the 9-1-1 fees;

20 (ii) shall remit all money collected to the Comptroller on a monthly
21 basis; and

22 (iii) is entitled to credit, against the money from the 9-1-1 fees to be
23 remitted to the Comptroller, an amount equal to 0.75% of the 9-1-1 fees to cover the
24 expenses of billing, collecting, and remitting the 9-1-1 fees and any additional
25 charges.

26 (3) The Comptroller shall deposit the money remitted in the 9-1-1 Trust
27 Fund.

28 (d) (1) Each 9-1-1 service carrier shall add the 9-1-1 fee to all current bills
29 rendered for wireless telephone service or other 9-1-1-accessible service in the State.

30 (2) Each 9-1-1 service carrier:

31 (i) shall act as a collection agent for the 9-1-1 Trust Fund with
32 respect to the 9-1-1 fees;

33 (ii) shall remit all money collected to the Comptroller on a monthly
34 basis; and

1 (iii) is entitled to credit, against the money from the 9-1-1 fees to be
2 remitted to the Comptroller, an amount equal to 0.75% of the 9-1-1 fees to cover the
3 expenses of billing, collecting, and remitting the 9-1-1 fees and any additional
4 charges.

5 (3) The Comptroller shall deposit the money remitted in the 9-1-1 Trust
6 Fund.

7 (e) Notwithstanding any other provision of this subtitle, the 9-1-1 fee does
8 not apply to an intermediate service line used exclusively to connect a wireless
9 telephone service or other 9-1-1-accessible service, other than a switched local access
10 service, to another telephone system or switching device.

11 (f) A [cellular telephone company] CMRS or personal communication
12 company that pays or collects 9-1-1 fees under this section has the same immunity
13 from liability for transmission failures as that approved by the Public Service
14 Commission for local exchange telephone companies that are subject to regulation by
15 the Commission under the Public Utility Companies Article.

16 1-311.

17 (a) In addition to the 9-1-1 fee, the governing body of each county, by
18 ordinance or resolution enacted or adopted after a public hearing, may impose an
19 additional charge to be added to all current bills rendered for switched local exchange
20 access service, wireless telephone service, or other 9-1-1-accessible service in the
21 county.

22 (b) (1) The additional charge imposed by a county may not exceed [50] 75
23 cents per month per bill.

24 (2) The amount of the additional charges may not exceed a level
25 necessary to cover the total eligible maintenance and operation costs of the county.

26 (c) The additional charge continues in effect until repealed or modified by a
27 subsequent county ordinance or resolution.

28 (d) After imposing, repealing, or modifying an additional charge, the county
29 shall certify the amount of the additional charge to the Public Service Commission.

30 (e) The Public Service Commission shall direct each telephone company that
31 provides service in a county that imposed an additional charge to add, within 60 days,
32 the full amount of the additional charge to all current bills rendered for switched local
33 exchange access service in the county.

34 (f) Within 60 days after a county enacts or adopts an ordinance or resolution
35 that imposes, repeals, or modifies an additional charge, each 9-1-1 service carrier
36 that provides service in the county shall add the full amount of the additional charge
37 to all current bills rendered for wireless telephone service or other 9-1-1-accessible
38 service in the county.

1 (g) (1) Each telephone company and each 9-1-1 service carrier shall:

2 (i) act as a collection agent for the 9-1-1 Trust Fund with respect
3 to the additional charge imposed by each county;

4 (ii) collect the money from the additional charge on a county basis;
5 and

6 (iii) remit all money collected to the Comptroller on a monthly basis.

7 (2) The Comptroller shall deposit the money remitted in the 9-1-1 Trust
8 Fund account maintained for the county that imposed the additional charge.

9 1-312.

10 (a) During each county's fiscal year, the county may spend the amounts
11 distributed to it from 9-1-1 fee collections for the installation, enhancement,
12 maintenance, and operation of a county or multicounty 9-1-1 system.

13 (b) Maintenance and operation costs may include telephone company charges,
14 equipment costs, equipment lease charges, repairs, utilities, personnel costs, and
15 appropriate carryover costs from previous years.

16 (c) The Board shall provide for an audit of each county's expenditures for the
17 maintenance and operation of the county's 9-1-1 system.

18 (D) (1) A COUNTY WITH AN OPERATIONAL PHASE II WIRELESS ENHANCED
19 9-1-1 SYSTEM IS EXEMPT FROM THIS SUBSECTION SUBJECT TO THE APPROVAL OF
20 THE BOARD UNDER § 1-306 OF THIS SUBTITLE.

21 (2) FOR A COUNTY WITHOUT AN OPERATIONAL PHASE II WIRELESS
22 ENHANCED 9-1-1 SYSTEM WITHIN THE REQUIRED TIMES, THE BOARD SHALL ADOPT
23 PROCEDURES TO ENSURE THAT:

24 (I) MONEY THAT IS COLLECTED FROM THE ADDITIONAL CHARGE
25 AND DISTRIBUTED TO THE COUNTY IS SPENT DURING THE COUNTY'S FISCAL YEAR
26 AS FOLLOWS:

27 1. FOR A 9-1-1 SYSTEM IN A COUNTY OR MULTICOUNTY
28 AREA WITH A POPULATION OF 100,000 OR FEWER, A MAXIMUM OF 85% FOR
29 PERSONNEL COSTS; AND

30 2. FOR A 9-1-1 SYSTEM IN EACH OTHER COUNTY OR
31 MULTICOUNTY AREA, A MAXIMUM OF 70% FOR PERSONNEL COSTS; AND

32 (II) ALL OF THE MONEY COLLECTED FROM THE 9-1-1 FEE AND THE
33 ADDITIONAL CHARGE IS SPENT ONLY TO INSTALL, ENHANCE, MAINTAIN, AND
34 OPERATE A COUNTY OR MULTICOUNTY SYSTEM.

35 (3) THE BOARD MAY GRANT EXEMPTIONS TO THE ALLOCATIONS MADE
36 TO ENHANCE A 9-1-1 SYSTEM ONLY FOR EXTENUATING CIRCUMSTANCES.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2003.